

By: Rodríguez

S.B. No. 146

A BILL TO BE ENTITLED

AN ACT

relating to compensation to victims of stalking for relocation and housing rental expenses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 56.32(a)(9), Code of Criminal Procedure, is amended to read as follows:

(9) "Pecuniary loss" means the amount of expense reasonably and necessarily incurred as a result of personal injury or death for:

(A) medical, hospital, nursing, or psychiatric care or counseling, or physical therapy;

(B) actual loss of past earnings and anticipated loss of future earnings and necessary travel expenses because of:

(i) a disability resulting from the personal injury;

(ii) the receipt of medically indicated services related to the disability resulting from the personal injury; or

(iii) participation in or attendance at investigative, prosecutorial, or judicial processes related to the criminally injurious conduct and participation in or attendance at any postconviction or postadjudication proceeding relating to criminally injurious conduct;

(C) care of a child or dependent;

(D) funeral and burial expenses, including, for an immediate family member or household member of the victim, the necessary expenses of traveling to and attending the funeral;

(E) loss of support to a dependent, consistent with Article 56.41(b)(5);

(F) reasonable and necessary costs of cleaning the crime scene;

(G) reasonable replacement costs for clothing, bedding, or property of the victim seized as evidence or rendered unusable as a result of the criminal investigation;

(H) reasonable and necessary costs for relocation and housing rental assistance payments [7] as provided by Article 56.42(d) [~~incurred by a victim of family violence or a victim of sexual assault who is assaulted in the victim's place of residence for relocation and housing rental assistance payments~~];

(I) for an immediate family member or household member of a deceased victim, bereavement leave of not more than 10 work days; and

(J) reasonable and necessary costs of traveling to and from a place of execution for the purpose of witnessing the execution, including one night's lodging near the place at which the execution is conducted.

SECTION 2. Article 56.42(d), Code of Criminal Procedure, is amended to read as follows:

(d) A victim who is a victim of stalking, family violence, or [~~a victim of~~] trafficking of persons, or a victim of sexual assault who is assaulted in the victim's place of residence, may

1 receive a onetime-only assistance payment in an amount not to  
2 exceed:

3           (1) \$2,000 to be used for relocation expenses,  
4 including expenses for rental deposit, utility connections,  
5 expenses relating to the moving of belongings, motor vehicle  
6 mileage expenses, and for out-of-state moves, transportation,  
7 lodging, and meals; and

8           (2) \$1,800 to be used for housing rental expenses.

9       SECTION 3. The change in law made by this Act applies only  
10 to a victim of a criminal offense committed or a violation that  
11 occurs on or after the effective date of this Act. The victim of a  
12 criminal offense committed or a violation that occurs before the  
13 effective date of this Act is governed by the law in effect on the  
14 date the offense was committed or the violation occurred, and the  
15 former law is continued in effect for that purpose. For purposes of  
16 this section, a criminal offense was committed or a violation  
17 occurred before the effective date of this Act if any element of the  
18 offense or violation occurred before that date.

19       SECTION 4. This Act takes effect September 1, 2015.